

To: CN=Erin Foresman/OU=R9/O=USEPA/C=US@EPA[]
Cc: CN=Tom Hagler/OU=R9/O=USEPA/C=US@EPA[]
From: CN=Karen Schwinn/OU=R9/O=USEPA/C=US
Sent: Fri 6/17/2011 4:33:35 PM
Subject: Re: Section for BDCP MOU on P+N

Tom's paragraph is exactly the kind of thing I had in mind. The other sentence from their letter that I think might be good to add as well is:

"The P and N Statement does not state, and is not intended to imply, that increased quantities of water will be delivered under the BDCP."

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From: Erin Foresman/R9/USEPA/US
To: Tom Hagler/R9/USEPA/US@EPA
Cc: Karen Schwinn/R9/USEPA/US@EPA
Date: 06/17/2011 09:26 AM
Subject: Re: Section for BDCP MOU on P+N

Hi Karen and Tom,

The organizational location of this proposal makes sense in the MOU. I made one recommendation in text. My other recommendation is to talk with the Corps about proposing a basic and overall project purpose statement specific to the project level Delta Conveyance to include in this section. This would be purpose only for identification of CWA LEDPA. Right now, I don't think the Corps is being as clear and explicit as they could be about their position on purpose.

Just spoke with Karen, and we discussed alerting DOI HQ to the fact that the phrase "by relocating the intakes for the SWP and CVP" is a vulnerability for them and the Corps should they adopt the EIS. That phrase limits evaluation of Delta Conveyance alternatives to dual conveyance options. This means that the lead federal agencies and project applicants are using the purpose statement to limit the range of alternatives considered under NEPA to their preferred project, dual conveyance, in the purpose statement. All other build or water conservation alternatives (and the counterpart operations alternatives) could be eliminated because they do not meet the project purpose of relocating the intakes for the SWP and CVP. For example, the attached document contains a description of BDCP alternatives. One is the Through Delta Conveyance. that does not meet the project purpose because it does not include moving the SWP and CVP intakes.

It doesn't limit operations alternatives for alternatives that include relocating the pumps.

[attachment "P+Nfor404MOU_ELF.docx" deleted by Karen Schwinn/R9/USEPA/US] [attachment "Presentation for Range of Alternatives for June 15 2010 BECT v5.pptx" deleted by Karen Schwinn/R9/USEPA/US]

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<http://www.epa.gov/region9/water/watershed/sfbay-delta/index.html>

From: Tom Hagler/R9/USEPA/US
To: Karen Schwinn/R9/USEPA/US@EPA, Erin Foresman/R9/USEPA/US@EPA
Date: 06/16/2011 05:18 PM
Subject: Section for BDCP MOU on P+N

See if this works for you:

[attachment "P+Nfor404MOU.docx" deleted by Erin Foresman/R9/USEPA/US]

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